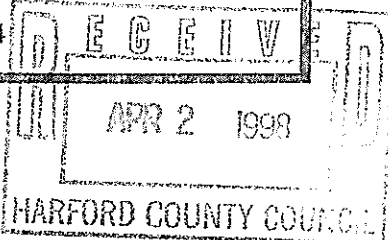


ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014

Shaded Area For Office Use Only



Case No. 092(32)

Date Filed 3-25-98

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$700⁰⁰

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Whiteford Packing Co., Inc. Phone Number _____

Address 2419 Whiteford Road Whiteford, Maryland 21160
Street Number Street State Zip Code

Property Owner See Above. Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative Robert S. Lynch, Esq. & Lawrence F. Kreis, Jr., Esq. Stark and Keenan, P.A. Phone Number (410) 838-5522/879-2222

Address 30 Office Street Bel Air, Maryland 21014
Street Number Street State Zip Code

Hearing: 8/10/98

Land Description

Address and Location of Property (with nearest intersecting road) 2419 Whiteford Road,
E S Rt. 136

Subdivision _____ Lot Number _____ Acreage/Lot Size 1.551 Election District 05

Existing Zoning GI Proposed Zoning B2 Acreage to be Rezoned 1.551

Tax Map No. 5 Grid No. 4B Parcel 32 Deed Reference 311/195

Critical Area Designation N/A Land Use Plan Designation Rural Village

Present Use and ALL improvements: Whiteford Packing Co. Plant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Whiteford Packing
retail store to sell vegetables and related products.

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No

If yes, describe: _____

Estimated Time Requested to Present Case: Three (3) Hours

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

(c) The proposed reclassification of the property to a B2 use is consistent with the Village Designation on the "Master Land Use Map" (See attachment (b)(1)).

(d)

(1) See attachment (d)(1).

(2) See attachment (d)(1). - The proposed store operation is shown on the concept plan.

(3) Neighborhood: The neighborhood is defined as the area bordered by the Pennsylvania State line to the north, Rt. 165 Wheeler School Road to the Southwest and Ridge Road to the Southeast. (See attachment (d)(3)).

(4) See attachment (d)(4).

(5) There are no Capital Improvement projects identified in FY 1997 - 1998 CIP for this area.

(e) Rezoning in the neighborhood: None

(f) See attachment (d)(1)

(g) See attachment (d)(g)

(h) None

(i) None

(j) No Harford County water is available. Harford County sewer is available to the site pursuant to the Whiteford/Cardiff Petition Agreement.

WHITEFORD PACKING CO., INC.

(b)(1) The Applicant maintains that there is a mistake as to the existing GI zoning. This property as shown on the 1996 Land Use Plan is designated "Rural Village". (See attachment (b)(1) Land Use Map & Key). The property has frontage on Md. State Route 136, which is rural minor arterial road. The current GI zoning is not consistent with the Master Plan and a rezoning to a B2 classification will allow the packing operation, situated to the rear of the property, to have a retail outlet facility. There are extensive amounts of under utilized GI zoned land in this area of the County. The majority of the GI zoned land was first granted in 1957 in recognition of the industrial uses in the area. Many of these uses are no longer in operation. There is currently an undersupply of business zoned land in the community. Harford County, as part of the Comprehensive Rezoning process, should have rezoned the subject parcel to B2 in order to make it consistent with the Master Plan and the neighborhood.

(2) Since the last Comprehensive Rezoning in 1989, there have been changes in the neighborhood. Since 1989, there has been increased traffic on MD. Rt 136. Additionally Harford County has granted approval to the Whiteford Sewer subdistrict project. Other retail development has occurred in the neighborhood. In addition, Harford County constructed a new library complex in close proximity to the applicants property.

Issue #	Date	C P C	Tax ID #	Map #	Grid	Parcel #	Property owner	Property location	Acresage of parcel	Acresage to rezone	CZ	RZ	PAB	P Z	C C
D016	10-10-96	JN	04026101	23	2F	68	George Grimmel	Emrick Lane Jarrettsville	55.5	55.5	AG	RR	AG	AG	AG
D017	10-10-96	JN	04026128	24	3A	14	George Grimmel	Emrick Lane Jarrettsville	55.944	55.944	AG	RR	AG	AG	AG
D018	10-11-96	WCP	05041872	5	4B	11	Whiteford Packing (Peter Tutalo)	Pylasville Rd SS Dooley Rd	33.37	33.37	GI	B3	LI	LI	GI
D019	10-11-96	WCP	05041880	4	4E	12	Whiteford Packing (Peter Tutalo)	2709 Whiteford Rd N of Whiteford	169.92	18	AG	CI	AG	AG	AG
D020	10-11-96	WCP	05041902	5	4B	32	Whiteford Packing (Peter Tutalo)	2419 Whiteford Rd ES Rt 136	16.58	2	GI	B3	VB	VB	B2
D021	10-11-96	WCP	05018323	10	1F	16	Whiteford Packing (Peter Tutalo)	SS of Rt 165	21.461	2.469	AG	B3	AG	AG	AG
D022	10-11-96	WCP	05018323	10	1F	16	Whiteford Packing (Peter Tutalo)	NS Wheeler School Rd Pylasville	21.461	13.763	AG	B3	AG	AG	AG
D023	10-11-96	WCP	05007305	5	4B	30	Martin & Kay Cochran	2415 Whiteford Rd	1.55	1.55	GI	B3	VB	VB	VB
D024	10-11-96	WCP	05042240	5	4B	14, lot 4	Farrell Whiteford	1609 Dooley Rd	100 X 175	100 X 175	VR	B3	B3	B3	B3
D025	10-11-96	WCP	05033330	5	3B	15	Farrell Whiteford	1611 Dooley Rd	50 X 175	50 X 175	VR	B3	B3	B3	B3
D026	10-11-96	WCP	05034744	5	3B	21	Farrell Whiteford	1615 Dooley Rd	200 X 160	200 X 160	VR	B3	B3	B3	B3
D027	10-11-96	WCP	05039312	5	3B	143	John F. Engel	1613 Dooley Rd, Cardiff	2009	2009	VR	B3	B3	B3	B3
D028	10-11-96	WCP	05052610	10	2F	240 Lot 5	Richard & Ella Enfield	827 Wheeler School Rd	12.076	12.076	AG	B3	AG	AG	AG
D029	10-11-96	WCP	05047188	5	3B	276	Farrell Whiteford	Dooley Rd, Whiteford	14.576	14.576	GI	B3	B3	B3	B3
D030	10-11-96	WCP	05054532	5	3B	290	Farrell Whiteford	Pylasville Rd, NS Dooley Rd.	40	28.0	GI	CI	LI	LI	GI
D030-1	10-11-96	WCP	05054532	5	3B	290	Farrell Whiteford	Pylasville Rd, NS Dooley Rd	40	12.0	GI	B3	LI	LI	B2
D031	10-11-96	WCP	05003504	5	4B	86	Leonard E. McGrady	1557 Main St., Whiteford	22.796	17.0	AG	VR	AG	AG	AG
D032	10-11-96	DD	05055407	20	4B	236, lot 4	Lance C. Miller	4551 Cornowingo Rd.	22.32	3.25	AG	B3	AG	AG	B3
D033	10-11-96	JN	04051998	24	1D	9	John & Norma Penzer et. all	ES North Band Rd E of Federal Hill	63.63	63.63	AG	RR	AG	AG	AG
D034	10-11-96	JN	04051971	24	2D	181	John & Norma Penzer et. all	1435 North Band Rd, E. of Federal Hill	62.568	62.568	AG	RR	AG	AG	AG
D035	10-11-96	JN	04043995	23	3A	240, lot 1	David & Lee Hinderholer	4360 Norrisville Rd - White Hall	1.12	5	AG	B3	B3	B3	B3
D036	10-11-96	JN	04069277	32	3A	410	Stephen & Margaret Trout	2104 Furnace Rd, SW of Jarrettsville	65.0988	65.0988	AG	RR	RR	RR	AG
D037	10-11-96	JN	04046153	32	2A	67	Arthur Wood	3730 Norrisville Rd.	75 X 300	75 X 300	VR	VB	VB	VR	VB
D038	10-11-96	JN	04056167	32	1B	159	Margaret Richardson	1724 W. Jarrettsville Rd	50	50	VR	VB	VR	VR	VR